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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

YORK WALLCOVERINGS, INC.,

Plaintiff,

v.

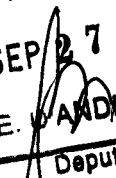
S.A. MAXWELL COMPANY, INC.
and JAIMA BROWN,

Defendants.

NO. 1:CV-01-0793

(The Hon. Sylvia H. Rambo)

DEFENDANTS' SPECIAL VERDICT QUESTIONS

FILED
HARRISBURG, PA
SEP 27 2002
MARY E. WANDREA, CLERK
Per  Deputy Clerk

- 1) Has York established ownership of a valid copyright in the design of its elephant sidewall?

Yes _____ No _____

(If your answer to this question is "yes," please go to the next question. If it is "no," skip to question 6.)

- 2a) Is the design of Maxwell's elephant and palm sidewall substantially similar to the copyrightable elements of the design of York's elephant sidewall?

Yes _____ No _____

- 2b) Is the design of Maxwell's elephant and palm border substantially similar to the copyrightable elements of the design of York's elephant border?

Yes _____ No _____

(If your answer to either question is "yes," please go to the next question. If it is "no" to both questions, skip to question 6.)

- 3) Were the Maxwell elephant and palm sidewall and the Maxwell elephant and palm border independently created?

Yes _____ No _____

(If your answer to this question is "yes," skip to question 6. If it is "no," please go to the next question).

- 4) What is the amount of profits, if any, derived by Maxwell from (a) its sales of the infringing elephant and palm sidewall design, (b) its sales of the infringing elephant and palm border design and (c) its sales of the infringing fabrics?

(a) \$ _____

(b) \$ _____

(c) \$ _____

- 5) Has York established with reasonable probability the existence of a causal connection between Maxwell's infringement and some loss of anticipated revenue? If yes, what is the amount of that loss, if any?

Yes _____, \$ _____ No _____

[Alternative Question on Copyright Damages if Reasonable Royalty is Held to Be Appropriate Measure]

Has York established its entitlement to a reasonable royalty? If yes, what would be a reasonable percentage of Maxwell's sales of the products that were purchased because of their design, which would include Maxwell's elephant and palm sidewall, border and fabric, but not its sample books?

Yes _____, \$ _____ No _____

- 6) Has York shown that the design elements of the cover of its Passport Collection sample book serve to identify its source to an appreciable segment of the retailers selling and the public purchasing wallcoverings?

Yes _____ No _____

(If your answer to this question is "yes," please go to the next question. If it is "no," your deliberations are over; please return to the courtroom.)

- 7) Has York shown that the cover of the Maxwell Sesquicentennial Collection sample book is likely to cause an appreciable segment of the retailers selling and the public purchasing wallcoverings to believe that such books come from York?

Yes _____ No _____

(If your answer to this question is "yes," please go to the next question. If it is "no," your deliberations are over; please return to the courtroom.)

- 8) Has York established that the cover of Maxwell's Sesquicentennial Collection sample book has caused actual deception as to the source of the other (non-elephant and palm) sidewalls, borders and fabrics included therein?

Yes _____ No _____

(If your answer to this question is "yes," please go to the next question. If it is "no," your deliberations are over; please return to the courtroom.)

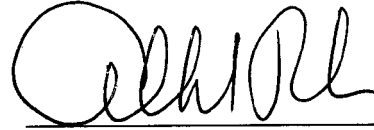
- 9) What is the amount of profits, if any, derived by Maxwell from its sales of the other (non-elephant and palm) sidewalls, borders and fabrics included in its Sesquicentennial Collection Sample Book that were the result of such actual deception?

\$_____

(You may now return to the courtroom with your verdict.)

Dated: New York, New York
September 26, 2002

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Albert Robin', written over a horizontal line.

Albert Robin (AR-7254)
Robin Blecker & Daley
Attorneys for Defendants
330 Madison Avenue
New York, NY 10017
(212) 682-9640

Of Counsel:

Joseph L. Turchi
Rawle & Henderson, LLP
The Widener Building
One South Penn Square
Philadelphia, PA 19107